

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

THE CHAMBERLAIN GROUP LLC

Plaintiff,

v.

OVERHEAD DOOR CORPORATION and
GMI HOLDINGS INC.,

Defendants.

Case No. 2:21-cv-0084-JRG

JURY TRIAL DEMANDED

JOINT PROPOSED DOCKET CONTROL ORDER

Plaintiff The Chamberlain Group, LLC (“Chamberlain”) and Defendants Overhead Door Corporation and GMI Holdings Inc. (“Overhead Door”) (collectively, the “Parties”), in accordance with the Court’s Order (Dkt. 386), jointly move the Court to enter the Docket Control Order offered below, which is agreed to by the Parties.

Event	Date
Deadline to File Federal Rule of Civil Procedure 50(b) Renewed Judgments as a Matter of Law	No fewer than 28 days following the entry of judgment on all claims ¹
*Jury Selection – 9:00 a.m. in Marshall, Texas.	Monday, September 12, 2022
*If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in Charge by this date. ¹	Monday, August 29, 2022

¹ For clarity, this deadline applies to all asserted claims and issues, including those relating to the ’416 patent.

Event	Date
*Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap	Monday, August 29, 2022
*Notify Court of Agreements Reached During Meet and Confer The parties are ordered to meet and confer on any outstanding objections or Motions <i>in Limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.	Wednesday, August 24, 2022
*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations	Monday, August 22, 2022
*File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov .	Monday, August 8, 2022
File Motions <i>in Limine</i> The parties shall limit their Motions <i>in Limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.	Monday, August 8, 2022

Event	Date
Serve Objections Pretrial Disclosures	Monday, August 8, 2022
Serve Rebuttal Pretrial Disclosures	Wednesday, August 3, 2022
Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List)	Monday, August 1, 2022
<p>*Response to Dispositive Motions and Motions to Strike (including Daubert Motions).</p> <p>Responses to dispositive motions that were filed prior to the dispositive motion deadline, including Daubert Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order.² Motions for Summary Judgment shall comply with Local Rule CV-56.</p>	Wednesday, July 27, 2022
<p>*File Motions to Strike Expert Testimony (including Daubert Motions)</p> <p>No motion to strike expert testimony (including a Daubert motion) may be filed after this date without leave of the Court.</p>	Wednesday, July 13, 2022

Event	Date
<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court.</p> <p>Motions shall comply with Local Rule CV-56 and Local Rule CV-7.</p> <p>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</p>	<p>Wednesday, July 13, 2022</p>
<p>Deadline to Complete Expert Discovery</p>	<p>Friday, July 8, 2022</p>
<p>Serve Disclosures for Rebuttal Expert Witnesses</p>	<p>Monday, June 27, 2022</p>
<p>Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof</p>	<p>Wednesday, June 15, 2022</p>

Event	Date
Deadline to Complete Fact Discovery and File Motions to Compel Discovery	Monday, June 13, 2022
Deadline to Substantially Complete Document Production	Friday, April 29, 2022
Deadline to Substantially Complete Source Code Production Relating to Combo Board Products	Monday, April 18, 2022

Date: April 11, 2022

Respectfully submitted,

By: /s/ Benjamin C. Elacqua
 Ruffin B. Cordell
 cordell@fr.com
 Texas Bar Number 04820550
 Daniel R. Gopenko
 Virginia Bar Number 83932
 gopenko@fr.com
FISH & RICHARDSON P.C.
 1000 Maine Ave SW, Suite 1000
 Washington, DC 20024
 Telephone: 202-783-5070
 Facsimile: 202-783-2331

 Benjamin C. Elacqua
 Texas Bar Number 24055443

elacqua@fr.com
Kathryn Quisenberry
Texas Bar Number 24105639
quisenberry@fr.com
FISH & RICHARDSON P.C.
1221 McKinney Street, Suite 2800
Houston, TX 77010
Telephone: 713-654-5300
Facsimile: 713-652-0109

Aamir A. Kazi
Georgia Bar Number 104235
kazi@fr.com
FISH & RICHARDSON P.C.
1180 Peachtree Street, 21st Floor
Atlanta, GA 30309
Telephone: (404) 724-2811

Betty H. Chen
Texas Bar Number 24056720
bchen@fr.com
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
Telephone: 650-839-5070

Jared A. Smith (*Pro Hac Vice*)
California Bar Number 306576
jasmith@fr.com
FISH & RICHARDSON P.C.
12860 El Camino Real, Suite 400
San Diego, CA 92130
Telephone: (858) 678-5070

Scott M. Flanz (*Pro Hac Vice*)
New York Bar Number 5423801
flanz@fr.com
FISH & RICHARDSON P.C.
Times Square Tower, 20th Floor
New York, NY 10036
Telephone: (212) 765-5070
Facsimile: (212) 258-2291

Michael R. Rueckheim
(Texas State Bar No. 24081129)
MRueckheim@winston.com
Eimeric Reig-Plessis

(admitted Pro Hac Vice)
EReigPlessis@winston.com
WINSTON & STRAWN LLP
275 Middlefield Road,
Suite 205 Menlo Park, CA
94025 Telephone: (650)
858-6500
Facsimile: (650) 858-6559

M Brett Johnson
(Texas Bar No. 00790975)
MBJohnson@winston.com
WINSTON & STRAWN LLP
2121 N. Pearl Street, Ste. 900
Dallas, TX 75201
Telephone: (214) 453-6416
Facsimile: (214) 453-6400

James Winn
(admitted Pro Hac Vice)
JWinn@winston.com
WINSTON & STRAWN LLP
35 W. Wacker Drive
Chicago, IL 60601-9703
Telephone: (312) 558-5600
Facsimile: (312) 558-5700

Dillon S. Kellerman
(admitted Pro Hac Vice)
DKellerman@winston.com
WINSTON & STRAWN LLP
101 California Street, 35th Floor
San Francisco, CA 94111
Telephone: (415) 591-1000
Facsimile: (415) 591-1400

Melissa Smith
Texas Bar Number 24001351
melissa@gillamsmithlaw.com
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: 903-934-8450
Facsimile: 903-934-9257

**COUNSEL FOR PLAINTIFF THE
CHAMBERLAIN GROUP LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on all counsel of record via email on this 11th day of April, 2022.

/s/Benjamin C. Elacqua

Benjamin C. Elacqua

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the parties met and conferred on April 6, 2022 and that the foregoing motion is joined in its entirety by both parties.

/s/Benjamin C. Elacqua

Benjamin C. Elacqua